

ENTERED

January 04, 2016

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RICHARD OHENDALSKI,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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CIVIL ACTION H-15-2160

ORDER

Pending before the court is a memorandum and recommendation (“M&R”) entered by the Magistrate Judge on December 7, 2015. Dkt. 12. The Magistrate Judge recommends that the court grant defendant United States of America’s (“USA”) motion to dismiss (Dkt. 6). *Id.* Plaintiff Richard Ohendalski did not respond to the USA’s motion to dismiss and did not file any objections to the M&R. After reviewing the M&R, the motion to dismiss, and applicable law, the court is in agreement with the Magistrate Judge that the court lacks subject matter jurisdiction. The M&R is ADOPTED IN FULL, and Ohendalski’s claims are DISMISSED for lack of jurisdiction.

Signed at Houston, Texas on January 4, 2016.



Gray H. Miller
United States District Judge